



THE SECRETARY-GENERAL

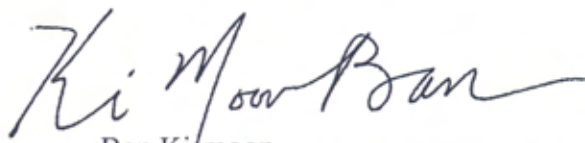
9 November 2007

Excellency,

Pursuant to Security Council resolution 1757 (2007), the United Nations Secretariat is actively engaged in the process of discussing a draft headquarters agreement with the Kingdom of the Netherlands regarding the Special Tribunal for Lebanon. These discussions will lead to formal negotiations in the days to come. Article 8 of the Annex to resolution 1757 (2007) (the "Annex"), envisions that such an agreement would be reached on a tripartite basis between the United Nations, the Lebanese Republic and the state that hosts the Special Tribunal. Operative paragraph 1 (b) of resolution 1757 (2007) states, however, that "If the Secretary-General reports that the Headquarters Agreement has not been concluded as envisioned under Article 8 of the annexed document, the location of the seat of the Tribunal shall be determined in consultation with the Government of Lebanon and be subject to the conclusion of a Headquarters Agreement between the United Nations and the State that hosts the Tribunal".

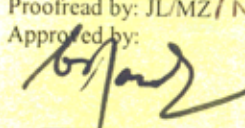
Our assessment of the situation in Lebanon inclines us to the view that it would be difficult to pursue a tripartite agreement under article 8 of the Annex and have such an agreement signed and ratified by the Lebanese authorities in a time period necessary for the Special Tribunal to be established in a timely manner as called for in operative paragraph 3 of resolution 1757 (2007). Therefore, we believe that we must consider making use of the provisions of paragraph 1(b) of resolution 1757 (2007) to conclude a bilateral agreement with the Kingdom of the Netherlands, in consultation with your Government. We respectfully seek your views on this matter and await your response at your earliest convenience.

Please accept, Excellency, the assurances of my highest consideration.


Ban Ki-moon

His Excellency
Mr. Fouad Siniora
Prime Minister of Lebanon
Beirut

Siniora, PM Lebanon
Drafter: OLA
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Date: 9 Nov. 2007